IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mehryar K. Garakani, et al.

Confirmation No.: 6083

Serial No.: 09/728,431 Examiner: Hanh N. Nguyen

Filed: November 30, 2000 Group Art Unit: 2668

For: SYNCHRONIZATION OF V42bis DE/COMPRESSION FOR V34/V42 MODEM RELAY METHOD AND APPARATUS

Date: April 27, 2006

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AMENDMENT AFTER FINAL REJECTION UNDER 37 CFR 1.116

Responsive to the Final Office Action dated February 7, 2006, please amend the application as follows.

Amendments to the Claims begin on page 2.

Remarks begin on page 6.

Amendments to the Claims

1. – 25. (canceled)

26.   (currently amended) A method of transmitting modem relay data across a network, comprising:

detecting a call request;

determining that the call request is between a local high-speed modem and a remote high-speed modem;

suppressing modem signals from a local modem;

negotiating physical layer parameters with an ITU-T V.42bis entity on the local modem;

transmitting a ready signal to the local modem when negotiation is complete; ~~and~~

synchronously exchanging data between the V.42bis entity on the local modem and a V.42bis entity on the remote modem~~;~~

~~detecting a loss of synchronization; and~~

~~performing a resynchronization by:~~

~~relaying a destructive break condition to the remote gateway;~~

~~discarding any data in transit prior to the destructive break; and~~

~~resynchronizing communications between the V.42bis entities on the local and~~ ~~remote modems.~~

27.   (previously presented) The method of claim 26, detecting a call request further comprising detecting a call request from the local high-speed modem.

28.   (previously presented) The method of claim 26, detecting a call request further comprising detecting a call request from a remote gateway in communication with a high-speed modem.

29.   (previously presented) The method of claim 26, detecting a call request further

comprising detecting an ITU-T V.8 ANSam signal.

30.   (previously presented) The method of claim 26, synchronously exchanging data further comprising performing compression and decompression of data with the V.42bis entities on the remote and local modems.

31.   (previously presented) The method of claim 26, further comprising transmitting not-ready signals to the local modem until a ready signal is received from the remote gateway.

32.-33. (canceled)

34.   (currently amended) The method of claim ~~32~~ 26, detecting a loss of synchronization further comprising detecting a SABME command from the remote modem and resynchronizing the V.42bis entities on the local and remote modems in accordance with ITU-T V.42.

35.   (currently amended) A network device, comprising:

a detector to allow the device to detect a call request between a local high-speed modem and a remote high-speed modem;

a suppression mechanism to suppress modem signals from the local modem;

a negotiation mechanism to negotiate physical layer parameters with the local high-speed modem;

a signaling mechanism to transmit a ready signal to the local modem when negotiation is complete; ~~and~~

a pass-through mechanism to exchange data between V.42bis entities on the local modem and the remote modem such that the V.42bis entities handle compression and decompression of data~~;~~

~~a detection mechanism for detecting a loss of synchronization; and~~

~~a relaying mechanism to relay a loss of synchronization due to a destructive break.~~

36.-37. (canceled)

38.   (currently amended) The network device of claim ~~36~~ 35, the ~~device~~ relaying mechanism further comprising a relaying mechanism to relay a SABME message.

39.   (currently amended) An article of computer-readable media containing code that, when executed, causes the computer to:

detect a call request;

determine that the call request is between a local high-speed modem and a remote high-speed modem;

suppress modem signals from a local modem;

negotiate physical layer parameters with an ITU-T V.42bis entity on the local modem;

transmit a ready signal to the local modem when negotiation is complete; ~~and~~

synchronously exchange data between the V.42bis entity on the local modem and a V.42bis entity on the remote modem~~.~~;

detect a loss of synchronization; and

perform a resynchronization by:

    relaying a destructive break condition to the remote gateway;

    discarding any data in transit prior to the destructive break; and

    resynchronizing communications between the V.42bis entities on the local and remote modems.

40.   (currently amended) A network device, comprising:

means for allowing the device to detect a call request between a local high-speed modem and a remote high-speed modem;

means for suppressing modem signals from the local modem;

means for negotiating physical layer parameters with the local high-speed modem;

means for transmitting a ready signal to the local modem when negotiation is complete; ~~and~~

means for exchanging data between V.42bis entities on the local modem and the remote modem such that the V.42bis entities handle compression and decompression of data~~;~~

~~means for detecting a loss of synchronization; and~~

~~means for relaying a loss of synchronization due to a destructive break.~~

Remarks

Claims 26-40 are pending. Claims 26-32, 34-36 and 38-40 are rejected under 35 USC 102(a) as being unpatentable over Nicol (US Patent No. 6,757,367) in view of Fayad et al. (US Patent 6,757,250). Claims 33 and 37 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In the alternative, Applicants have rewritten claim 26 to include the limitations of claim 33 and its intervening claim 32, and have rewritten claim 35 to include the limitations of claim 37 and its intervening claim 36. Claims 32-33 and 36-37 have been canceled by this amendment.

It is therefore submitted that claims 26 and 35 are now in allowable form and allowance of these claims and their respective dependent claims 27-31, 34 and 38 is requested.

Similar limitations to those made in claims 26 and 35 have been made to claims 39 and 40, respectively. It is therefore submitted that these claims are now in allowable form and allowance of these claims is requested.

Allowance of all claims is requested. No new matter has been added by this amendment. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,
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